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Jeff Beno

PATENT

Atty. Docket No. 30485-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

HARRY EDWARD DEMPSTER

Serial No.: 10/685,831

Filed: October 14, 2003

For: BREAKWATER

Group Art Unit: To be assigned

Examiner: To be assigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.99, Applicant brings to the attention of the Examiner the following references which the Examiner may consider to be material to examination of the subject application.

Copies of the references are submitted herewith along with Form PTO/SB/08A and Form PTO/SB/08B. Applicant respectfully requests that the Examiner consider the enclosed references and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the enclosed documents constitute "prior art". Applicant reserves the right to present to the Patent and Trademark Office relevant facts and law regarding the appropriate status of such documents.

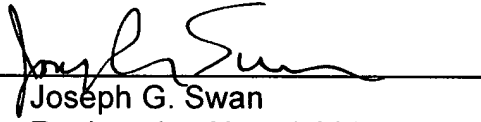
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the enclosed references, should one or more of the references be applied against the claims of the present application.

As this submission is being made prior to the first Office Action on the merits, it is believed that no fees are due in connection herewith. If there are any additional fees due in connection with the filing of this paper that have not been accounted for in this paper or in the accompanying papers, please charge the fees to Deposit Account No. 13-3735. If an extension of time under 37 C.F.R. §1.136 is required for the filing of this paper and is not accounted for in this paper or the accompanying papers, such an extension is requested and the fee (or any underpayment thereof) should also be charged to the Deposit Account. A duplicate copy of this page is enclosed for that purpose.

Respectfully submitted,

MITCHELL, SILBERBERG & KNUPP LLP

Dated: February 18, 2004

By 
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PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/685,831
Filing Date	October 14, 2003
First Named Inventor	Harry Edward Dempster
Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	30485-6

Sheet 1 of 2

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 6,229,225	05-08-2001	Carroll	
		US- 6,194,791	02-27-2001	Wells	
		US- 6,170,424	01-09-2001	Boerseth	
		US- 6,109,029	08-29-2000	Vowles et al.	
		US- 6,106,198	08-22-2000	Borseth	
		US- 6,100,600	08-08-2000	Pflanz	
		US- 5,710,464	01-20-1998	Kao et al.	
		US- 5,690,047	11-25-1997	Holmes	
		US- 5,549,445	08-27-1996	Schrempp	
		US- 5,380,229	01-10-1995	Korsgaard	
		US- 5,066,867	11-19-1991	Shim	
		US- 4,560,884	12-24-1985	Whittecarr	
		US- 4,495,424	01-22-1985	Jost	
		US- 4,296,706	10-27-1981	Hughes	
		US- 4,290,381	09-22-1981	Penman	
		US- 4,279,124	07-21-1981	Schrempp	
		US- 4,256,971	03-17-1981	Griffith	
		US- 3,988,592	10-26-1976	Porter	
		US- 3,431,879	03-11-1969	Westling	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 0 950 812 B1	07-09-2003	Masuda		
		EP 0 750 365 B1	10-04-2000	Permascand AB		
		EP 0 677 008 B1	12-02-1998	Korsgaard		
		WO 9729949	08-21-1997	Petroleum		
		WO 9415828	07-21-1994	Korsgaard		
		JP 60112909 Abstract	06-19-1985	Hayashi Takeshi		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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